

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
November 27 – December 1, 2000

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
11-27	EX	75/023,266	SpanLink Communi-cations	Cissel Hohein Wendel*	2(e)(1)	Refusal Affirmed		"WEBCALL" [computer program for allowing users of global computer information network sites to leave a message requesting telephone contact]		Sparacino	No
11-27	EX	75/380,198	Studner Enterprises, Inc.	Quinn Chapman Wendel*	2(d)	Refusal Affirmed		"BARNACLE'S RESTAURANT & LOUNGE" [restaurant services]	"BARNACLE'S SEAFOOD, OYSTERS & SPORTS" [restaurant and bar services]	Baker	No
11-29	OPP (S & DJ)	93,359	MHW, Ltd. and Pepsico, Inc.	Seeherman Walters Rogers [Opinion "By the Board"]	whether opposer should be sanctioned for failure to comply with discovery	Opposition Dismissed (motion for sanctions in the nature of default judgment granted)					Yes
11-29	CANC (SJ)	27,722	Billy Guy v. Carl Gardner	Quinn Wendel Rogers [Opinion "By the Board"]	whether a prior court decision has res judicata effect in the present opposition	Petition to Cancel Denied (Re-spondent's motion for summary judgment granted)					No
11-29	EX	75/321,952	Temps & Co., Inc.	Cissel Bucher* Rogers	2(d)	Refusal Affirmed		"FUTURES: THE 21 ST CENTURY JOB STORE" [personnel placement services]	"JOB STORE" [employment and job placement services]	Pappas	No

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11-29	EX	75/359,707	Progressive Games, Inc.	Hanak Hairston Walters*	whether the mark applicant seeks to register functions as a trademark for the goods identified in its application; whether applicant's specimens of use are adequate to demonstrate trademark use	Refusal Reversed		"PROGRESSIVE BLACK JACK" (and design) [casino gaming tables and casino card games]		Coward	No
11-29	EX	75/459,910	Style-click.com Inc.	Cissel Seeherman Quinn*	2(e)(1)	Refusal Affirmed		"E FASHION" [computer software for consumer use in shopping via a global computer network and computer software for providing fashion, beauty and shopping advice; electronic retailing services via a global computer network featuring apparel, fashion, accessories, personal care items, jewelry and cosmetics]		Thompson	Yes

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11-29	EX	74/605,417	eCash Technologies, Inc.	Quinn Walters* Bucher	2(e)(1)	Refusal Affirmed		"E-CASH" [data processors, computers, computer software and microcontrollers, the foregoing all used for accomplishing and storing information related to such transfers, and protecting the privacy of such transactions and information related thereto]		Billings	No
11-29	EX	75/262,618	Vertex Technologies, Inc.	Cissel Hohein* Holtzman	2(e)(1)	Refusal Affirmed		"SUPPLY CHAIN LINK" [computer programs for use in automating tool dispensers, monitoring and reporting on transactions conducted at tool dispensers, and for linking individual tool dispensers to internal and external information centers]		Cooper	No
11-29	EX	75/246,892	United Vitamin Mfg. Corp.	Wendel* Bottorff Holtzman	2(e)(1)	Refusal Affirmed		"COMPLETE" [vitamins, minerals, and nutritional supplements sold in solid tablet form through retail establishments]		Charlon	No
11-29	EX	75/423,093	Amoco/Enron Solar	Hohein Hairston Chapman*	2(e)(1)	Refusal Reversed		"DIRECTPV" [public utility services, namely, providing solar generated electricity]		Kazazian	No
11-30	EX	75/308,169	Bacou USA Safety, Inc.	Hohein Walters* Holtzman	2(d)	Refusal Affirmed		"BANDIT" [safety eyewear, namely, spectacles, frames and lens therefor]	"BAND-IT" [eyeglass retaining band]	Stiglitz	No

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11-30	EX	75/296,222	Daniel A. Teet, M.D., P.C.	Cissel Hohein (D) Holtzman*	2(d)	Refusal Affirmed		"RENAISSANCE COSMETIC SURGERY CENTER" [providing cosmetic and reconstructive surgery]	"RENAISSANCE," "R RENAISSANCE" (and design), and "THE RENAISSANCE" [<i>all three marks for retirement home and health care services</i>]	Stine	No
11-30	EX EX EX	75/541,256 75/559,780 75/559,786	Boyd Gaming Corp.	Simms* Seeherman Bottorff	2(e)(3)	Refusal Affirmed (in all three cases)		"ROYAL HAVANA RESORT & CASINO" [various wearing apparel; various beauty products and perfumes] and "HAVANA RESORT & CASINO" [various wearing apparel]		Reihner	Yes
11-30	EX	75/250,941	Hartford Life Insurance Co.	Hanak (D) Bottorff Holtzman*	2(d)	Refusal Affirmed		"STAG VARIABLE LIFE ARTISAN" [life insurance underwriting services]	"ARTISAN" [investment advisory services, securities brokerage services and mutual fund brokerage, distribution and investment services]	Otte	No
11-30	EX	75/370,139	N.A.D., Inc.	Simms* Cissel Hanak (D)	2(d)	Refusal Affirmed (as to both cited registrations)		"SATURN INFORMATION SYSTEM" [computer software that assists anesthesiology in the recording and reporting of anesthesia related data]	"SATURN" [prerecorded computer programs recorded on tape, cards, or disks] <i>and</i> "SATURN" (and design) [prerecorded computer programs recorded on tapes, disks or diskettes; minicomputers, microcomputers, and parts thereof]	Goodman	No

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11-30	EX EX EX EX EX EX EX EX EX EX EX EX EX EX EX	75/254,836 75/254,837 75/254,838 75/254,839 75/254,840 75/254,841 75/254,842 75/254,844 75/254,845 75/254,846 75/254,847 75/254,848 75/254,849 75/254,850 75/388,875 75/388,880	Strategic Weather Services, L.P.	Seeherman Holtzman Rogers*	2(e)(1)	Refusal Affirmed as to marks TRAVEL WEATH-ER, AGRI-CUL-TURAL WEATH-ER, BOATING WEATH-ER, SAILING WEATH-ER, and SKI-WEATH-ER, but Refusal Reversed as to remaining marks		"BIKEWEATHER," "BOATINGWEATHER," "CAMPINGWEATHER," "GOLFWEATHER," "FISHINGWEATHER," "HIKINGWEATHER," "HUNTINGWEATHER," "PARTYWEATHER," "SAILINGWEATHER," "SKIWEATHER," "TENNISWEATHER," "TRAVELWEATHER," "VACATIONWEATHER," "WEDDINGWEATHER," "INSURANCE-WEATHER," and "AGRICULTURAL-WEATHER" [all sixteen marks for weather information and planning service provided by a global computer network, television, cable, and telephone, offering weather maps, data, information, and graphics relating to, respectively, biking, boating, camping, golf, fishing, hiking, hunting, parties, sailing, skiing, tennis, travel, vacations, weddings, insurance, and agriculture]		Mays	No

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11-30	EX	75/277,306	Merion Publications, Inc.	Simms Bucher Holtzman*	whether the words FOR HEALTH INFORMATION EXECUTIVES, as part of applicant's mark, has become distinctive or, rather, whether those words must be disclaimed under Section 6	Refusal Affirmed		"ADVANCE FOR HEALTH INFORMATION EXECUTIVES" [magazine featuring information systems for executives and administrators in the healthcare industry]		Whitmire	No
11-30	EX	75/349,537	Altera Corp.	Seeherman Walters* Bucher	whether applicant's specimens are acceptable	Refusal Reversed		"CLOCKBOOST" [a feature of configurable logic integrated circuits and programmable logic integrated circuits, namely, timing circuitry]		Moorhead	No
11-30	OPP OPP	108,862 109,796	PC Club v. Primex Technologies, Inc.	Hohein Walters Rogers*	2(d)	Opposition Dismissed (in both cases)	"ENPOWER" [computers, computer peripherals and related products]	"EMPOWER" and "EMPOWER" (and design) [both marks for electrical power supplies to provide an in-seat power supply in transportation vehicles, namely, aircraft, automobiles, boats, trains, and vans]			No

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11-30	CANC	27,165	Mark-Tex Corp. v. La-Co Industries, Inc.	Seeherman* Quinn Chapman	2(d)	Petition to Cancel Denied	“VALVE ACTION” <i>and</i> “ACTION MARKER” [felt-tip markers for industrial uses]	“VALVE ACTION” [paint-filled markers for marking]			No

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